

Notice of Allowability

Application No.

10/538,263

Examiner

Jaime M. Holliday

Applicant(s)

HIDAKA, HIROYUKI

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed January 25, 2007.
2. ☒ The allowed claim(s) is/are 2-4 and 6-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Response to Amendment

Response to Arguments

1. Applicant's arguments, see "REMARKS," filed January 25, 2007, with respect to claims 1-14 have been fully considered and are persuasive. The U.S.C. 103 (a) rejection of **claims 1-14** has been withdrawn.

Allowable Subject Matter

2. **Claims 2-4 and 6-14** are allowed and they are renumbered 1-12, respectively.

3. The following is an examiner's statement of reasons for allowance:

Consider **claims 2, 6, 9 and 12**, the most relevant prior art of record, Moles et al. (U.S. Patent # 6,961,583 B2) in view of Kanerva et al. (U.S. Patent # 6,493,554 B1), fail to specifically show, disclose or suggest a control section that sets a first determination threshold value to be used for determining handoff during the idle state with a second communication system (method) when a state of a first communication system (method) is in an idle state, and sets a second determination threshold value to be used for determining handoff during the idle state with the second communication system (method) when the first communication system (method) is in communication.

Moles et al. clearly show and disclose a multi-mode mobile station determines the radio signal quality of a serving mobile system and while in an idle state, the multi-mode mobile station actively monitors the messages communicated over the paging

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channel (wireless communication terminal, [method of handoff determination] which performs wireless communication with base stations using each of a first communication method and a second communication method and enables to be in an idle state with both methods) (abstract, col. 4 lines 39-41) comprising a processor subsystem **520** associated within the mobile station that includes a counter **540** for determining the FER (Frame Error Rate) value associated with the received PCH (page channel) messages within a given time window (measurement section that measure quality of a signal transmitted from the base station) (fig. 5, col. 8 lines 21-25); a comparator that compares the calculated FER value against a threshold value stored within a threshold value register, and determines if the calculated FER value is greater than the specific threshold value (col. 8 lines 25-30); if the "health" of the paging channel is determined to be no longer acceptable, the mobile station then voluntarily attempts to select and access an alternative system (handoff determination section that determines handoff in an idle state with the second communication method based on quality of signals transmitted from a connected base station and another base station) (col. 7 lines 51-56); and a threshold value register **550** that stores the threshold value (control section) (fig. 5, col. 8 lines 26-27).

Kanerva et al. clearly show and disclose a handover method in which the signal level and/or quality of base stations in a mobile communication system in a mobile station (wireless communication terminal [method of handoff determination] which performs wireless communication with base stations comprising a measurement section that measures quality of a signal transmitted from the base station) (abstract, col. 3 lines

51-54). A mobile station (MS) and a serving base station (BTS1) measure the signal level and/or quality of a radio connection, and in addition, the MS measures signals from the neighboring base stations. The unit that makes the handover decision determines the channel coding offered to the radio connection by the possible target cell for handover (BTS2). The channel coding offered by BTS2 and by BTS1 are compared. If the channel coding of BTS2 is weaker than that of BTS1, then the value of the handover criterion is increased from the normal value. If the channel coding of BTS2 is more powerful than that of BTS1, then the value of the handover criterion is decreased from the normal value, (control section that changes a criterion of the determination of the handoff in the idle state with the second communication method in accordance with a state of the first communication method) (col. 6 line 45- col. 7 line 8).

Moles et al. in view of Kanerva et al., however, lack the claimed limitation of "wherein the control section that sets a first determination threshold value to be used for determining handoff during the idle state with the second communication system (method) when a state of the first communication system (method) is in an idle state, and sets a second determination threshold value to be used for determining handoff during the idle state with the second communication system (method) when the first communication system (method) is in communication," therefore this limitation in conjunction with the other limitations recited in claims 2, 6, 9 and 12, is novel and unobvious in view of the combination of Moles et al. and Kanerva et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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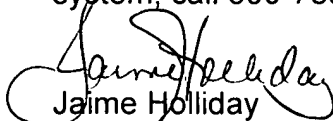
accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaime M. Holliday whose telephone number is (571) 272-8618. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jaime Holliday


CHARLES APPIAH
PRIMARY EXAMINER